

Integrated Project of the European Social Partner Organisations

“Social partners’ participation in the  
European social dialogue

*... what are the social partner’s needs? ”*

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Report of the Bulgarian National Seminar

Hotel SkyWay, Sofia,  
Bulgaria

28<sup>th</sup> & 29<sup>th</sup> March 2007

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Prepared by ARITAKE-WILD  
April 2007

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As a part of the European Social Partners work programme 2006 – 2008, the second in a series of seminars designed to enable the national social partner organisations in candidate countries (Croatia and Turkey) and New Member States (Bulgaria and Romania) to improve their capacity for current or future involvement in the European social dialogue was held in Sofia, Bulgaria on 28<sup>th</sup> and 29<sup>th</sup> March 2007. The programme builds on similar work undertaken in the now New Member States in eight Central and Eastern European countries as a part of the social partners work programme 2003 – 2005<sup>1</sup>.

The objectives for the Bulgarian social partners during the two-day event were;

- To identify the "organisational" and "individual participant" characteristics that will enable the Bulgarian social partners to contribute most effectively to the European social dialogue;
- To develop individual social partner organisation and joint plans of action that will contribute to their effectiveness as participants in the European social dialogue process.

The seminar was attended by representatives of Bulgarian employers' organisations and trade unions; representatives from the European social partners BUSINESSEUROPE, UEAPME, CEEP and ETUC; and experts. The full attendance list for the seminar is attached to this report as appendix one.

The seminar methodology was designed to assure maximum participation of the Bulgarian trade unions and employers with "added value" input from the participants from the European social partner organisations and the experts. Most of the event involved discussions in small working groups with regular plenary feedback forums and

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<sup>1</sup> During the European social partner work programme 2003 – 2005, initial and follow-up seminars were held in the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia between January 2005 and May 2006. Reports of the 16 national seminars and synthesis reports from the two sub projects can be found on the two European social partners resource centers (employers and trade unions) websites.

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consensus building sessions. To further facilitate the generation and development of ideas and strategies, the working groups were conducted in the Bulgarian language with “non-intrusive” interpretation available to the European social partner participants and experts. Full simultaneous interpretation was provided in the plenary sessions.

In order to maximise bipartite discussion, agreement and the development of action priorities and plans, where discussions took place in working groups, three groups were used: one contained exclusively trade union representatives; the second contained exclusively employers’ organisation representatives and the third group was of “mixed” composition. The outputs of all three groups were presented and discussed in plenary.

Day one of the seminar was devoted to understanding the European social dialogue; identifying current strengths and weaknesses of the Bulgarian social partners; and establishing priority areas for action that will lead to strengthening Bulgarian social partners with a view to their effective contribution to the EU level social dialogue. Through successive combinations of working groups, feedback forums, expert input and consensus building sessions, the participants were encouraged to develop a short list of key issues that they believed would have to be addressed. Day two used essentially the same working processes and was devoted to discussing in detail how the priority issues identified might best be taken forward and transferred into concrete action plans.

This report follows the format of the seminar agenda, providing an overview report of each of the nine working sessions that made up the seminar. The detailed agenda for the meeting is included as appendix two, but the nine working sessions making up the seminar can be summarised as follows:

	<b>Outline session content</b>	<b>Nature of the session</b>
Session one	“Introduction & explaining the European Social Dialogue”.	Expert input - plenary
Session two	“Building successful organisations and individuals to contribute to the European Social Dialogue”.	Working groups
Session three	Working group feedback: “Building successful organisations and individuals to contribute to the European Social Dialogue”.	Plenary presentations
Session four	“Successful social partners and successful meetings” – presentation of research findings.	Expert input – plenary
Session five	“The characteristics, actions and behaviours that contribute to successful engagement in social partnership”.	Consensus building session – plenary.
Session six	Presentation: “The tools that have been developed to help you”.	Expert input – plenary

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Session seven	"Actions that need to be taken to promote effectiveness in the European level Social Dialogue".	Working groups
Session eight	Working group feedback: "Actions that need to be taken to promote effectiveness in the European level Social Dialogue".	Plenary presentations
Session nine	Discussion and agreement on priority actions to promote social dialogue.	Consensus building session – plenary.

### DAY ONE (28<sup>th</sup> March)

Opening the meeting, senior members of the Bulgarian employer and trade union delegations attending the meeting welcomed the participants and guests from the EU social partner organisations and laid out their aspirations for the meeting.

#### **Session one (Expert input) - "Explaining the European Social Dialogue"**

The evolution, participant profiles, working rules, practices and priorities of the European social dialogue were summarised in formal presentations given by Liliane Volozinskis (UEAPME), Juliane Bir (ETUC), Jeanne Schmitt (BUSINESSEUROPE) and Valeria Ronzitti (CEEP). Their presentation is attached to this report as appendix three. The participants indicated that the presentation was useful and one individual suggested that the presence of a government representative at this explanatory session would have been desirable in order to help the authorities understand better the importance of the European social dialogue.

#### **Session two (Working group activity) - "Building successful organisations and individuals for European Social Dialogue"**

The national representatives were divided into three working groups: A "trade union group"; an "employers' organisation group" and a "joint group" of trade union and employers' organisation participants. The representatives from UEAPME and BUSINESSEUROPE joined the employers' organisation group; a representative from the ETUC together with one expert joined the trade union group; a representative from CEEP and one expert, joined the "joint group".

A chairperson/rapporteur was selected by each group from amongst the national participants.

The working groups were given 90 minutes to consider the following questions;

- *Trade union and employers' organisation groups*

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*What do we need to do to build successful social dialogue partner organisations at the national level that are capable of contributing effectively to the European Social Dialogue?*

- *Joint group*  
*What are the actions and behaviours that will make our meetings together as successful as possible?*

**Session three (Working group feedback)** - *“Building successful organisations and individuals for European Social Dialogue”*

The report back from the three groups can be summarised as follows (the group views are outlined in the order of presentation);

## Trade Union Group

- The overall structure of employers' organisations in Bulgaria does not correspond directly with that of the trade unions. Specifically there are representational gaps at the regional and sectoral levels. It is consequently not possible to build a comprehensive web of collective agreements covering all employers and all workers;
- Many collective agreements exist "on paper" but are not effectively enforced;
- The government does not perceive social dialogue as an important instrument;
- Restructuring and privatisation processes have had a negative impact on trade unions. Membership has declined and human and material resources are limited;
- The lack of resources makes it difficult to fulfill the many tasks needed for effective participation in the EU level social dialogue. A lack of language skills in particular is a limiting factor on trade union effectiveness;
- A culture of social dialogue in Bulgaria needs to be further strengthened. Conflict in certain areas makes compromise difficult in others;
- Negotiations with international companies are often difficult as they often seek to avoid establishing relationships with trade unions;
- Employers' organisation pluralism often makes it difficult to establish which organisations is the appropriate social partner;
- There are generally very good relations between the different trade union organisations. Regular meetings are held to exchange experience and information;

In summary, the trade unions need support to develop language skills; to foster a culture of social dialogue; and to build an appropriate level of human and material resource support. The employers' organisations need to become better organised for effective social dialogue and represented at all levels.

The presentation of the trade union group led to an open and contested discussion on the regional and sectoral coverage and representivity of employers' organisations and the current effectiveness of social dialogue at these levels. The content of this discussion influenced, in part, the employers' organisation presentation below.

### Employers' Organisation Group

- Whilst companies may sometimes be "multiple members" of employers' organisations, this is not a negative factor and does not cause confusion or overlap of competence;
- There are generally good relations between the employers' organisations that are members of the EU social partner organisations and those that are not. There is generally a willingness to cooperate and to contribute to the development of common solutions. Cooperation agreements had been signed to ensure adequate flow of communication between organisations;
- There is a well developed model for information flows and a process of consultation between the "mandate bearer" and the other employers' organisations;
- Sometimes it is difficult for Bulgarian sectoral employers' organisations to become members of the appropriate EU level body due to very high membership fees;
- In order to make social dialogue in Bulgaria more effective there is a need to review the way the government approaches "ergo omnes" extensions of collective agreements;
- Employers' organisations are not well represented in the retail and commerce sector and the organisation of employers in this area remains difficult. Their representation is felt to be satisfactory in all other sectors;

In summary, participation in the EU level social dialogue requires very effective internal processes to assure the development of Bulgarian employer positions within tight time constraints. The limited financial means available to employers' organisations constrains their ability to participate in regular and ad-hoc meetings in Brussels. This problem needs to be addressed.

Following the presentation of the employers' organisation group, the round table debate on the representivity of Bulgarian employers and trade unions and their relative capacities to conduct effective and comprehensive social dialogue continued. The participants did not however come to an agreed analysis of the situation.

### Joint Group

- In the absence of appropriate laws to regulate bipartite relations between the social partners, it is important that the trade unions and employers themselves design a model for effective cooperation to make their participation in the EU level social dialogue more effective;
- The most important subjects for consideration by the Bulgarian social partners need to be defined;
- There is a need to create a new bipartite body at the national level - which could be called the National Consultative Committee (NCC) - and which would form the national platform for bipartite social dialogue. The main objective of the NCC, which could first be created as an informal body, would be the discussion and implementation of EU level social dialogue initiatives. It was also suggested that, using this body, common positions could be agreed on appropriate subjects that could be presented to government as the joint position of the Bulgarian social partners.

### **Session four (Expert input)** - *“Successful social partners and successful meetings” – presentation of research findings*

One of the seminar experts (Alan Wild) presented the findings from a series of research projects conducted during the European social partners work programme 2003 - 2005.

The purpose of this session was to allow the participants to review their own discussions and presentations from sessions two and three (above) in the context of the knowledge and experience of individuals from different countries that had participated in the European Social Dialogue over a number of years.

The presentation described the findings from the following initiatives;

- An analysis of the discussion and conclusions of the 16 seminars conducted in the CEEC New Member States;
- The research findings that were used as the basis for the competency evaluation tool now available to the social partner organisations through the ETUC and BUSINESSEUROPE websites (see later). This involved participants in the European social dialogue from the European social partners in each of the (then) 25 EU Member States;
- Specific research into individual and organisation “success competencies” undertaken in the “EU15” social partner organisations.

The full presentation is attached to this report as appendix four.

### **Session five (Consensus building session) - *The characteristics, actions and behaviours that contribute to successful engagement in social partnership – general discussion***

The chair suggested that the participants took a short time to reflect individually on the most important two or three issues that should be addressed in detail during the remainder of the seminar.

Using a “tour de table” type process, the seminar participants identified a number of issues that are important for improving social dialogue in Bulgaria. The points raised can be summarised as follows;

- Improving social dialogue at the regional level is vital to the effectiveness of the Bulgarian social dialogue as a whole;
- An international network should be created to exchange information and best practice related to the EU social dialogue in the CEEC countries as they face similar challenges to the Bulgarian social partners;
- It will be important to establish an effective dialogue at the national level to come up with common opinions on the issues important at the EU level;
- The quantity and quality of human resources available to the social partner organisations are currently inadequate for the challenges faced. It will be necessary to identify specific individuals who will deal with the EU level social dialogue. These people must have adequate foreign language, interpersonal and analytical skills. Appropriate recruitment and training initiatives need to be undertaken;
- More financial resources will be necessary to attract and retain key personnel and to ensure that Bulgarian social partners are both present and heard in Brussels;
- Relations between the social partners need to be further strengthened and information flows improved;
- The “social dialogue culture” in Bulgaria needs to be fostered based upon modern and effective social partner organisations fully committed to the social dialogue process;
- Capacity building initiatives are required at a number of levels: strengthening administrative, human and financial resources; better cooperation and coordination between the Bulgarian social partners; and enhancing social partner influence in discussions with the government;

- Gaining expertise in negotiations with international corporations will be necessary as more multinationals invest in Bulgaria;
- Both sides of the social dialogue need to learn more about the forms, mechanisms and rules for participation in the social dialogue at the EU level with a view to influencing European level outcomes more effectively;
- One of the most important issues that should be addressed by the social partners is the negative influence on the Bulgarian economy of the “informal sector”;
- Effective mechanisms to enforce the existing Bulgarian Labour code are lacking;
- From the trade union point of view it is very important to carefully analyse labour relations in small and micro enterprises and in self employment where the challenge is to ensure people are protected by the relevant professional or sectoral trade union without necessarily being members;

Following the national participant “tour de table”, at the close of the day, agreement was reached on the priority issues that should be focussed on in day two of the seminar. The issues were;

- Assuring adequate material and human resources;
- Improving the effectiveness of social partners organisations at the national, sectoral, branch, regional and enterprise levels;
- Developing a mentality or culture of social dialogue;

## DAY TWO (29<sup>th</sup> March)

### **Session six (Expert input)** - *"The tools that have been developed to help you"* - expert presentation

Juliane Bir (ETUC) and Jeanne Schmitt (BUSINESSEUROPE) presented the actions undertaken by the European level social partners with the support of the European Commission that can help Bulgarian social partners to develop a more effective social dialogue. These include;

- Workshops on how to identify budget lines and apply for funding for social dialogue related initiatives;
- A competency evaluation tool that can be used as an audit model to evaluate a trade union or employers' organisation staff and organisational competencies and to develop cost effective action plans;
- Both trade unions and employers have set up web based resource centres to provide on-line advice and assistance to their respective members;
- Funds have been made available to reimburse the travel and accommodation costs of additional national social partner representatives at meetings and events to add to their skills and experience. This is supported by training programmes and mentoring schemes;
- Most recently a translation fund has been established to facilitate the production of a joint translation of European social partner agreements;

It was also noted that the new European Social Fund regulation contains a specific chapter on capacity building of social partners which foresees an appropriate amount of financial resources for improving social dialogue that can be accessed individually and jointly by the social partners.

The full presentation is attached to this report as appendix five.

### **Session seven (Working groups)** - *"Actions that need to be taken to promote effectiveness in the European level Social Dialogue"*.

Three working groups - again one trade union group, one employers' group and one joint group - were given one and a half hours to develop responses to the following questions which were based on the agreed priorities for action developed at the end of the previous day;

1. *How can we improve the quality and quantity of the material and human*

*resources available to us to work on the EU social dialogue in the short and medium term? How can we make the best use of the resources we currently have? How can the various elements of social dialogue in Bulgaria be developed into a more effective, a more positive, and a more influential force?" (Employer and trade union groups)*

2. *Building on yesterday's work suggest a step by step approach to the development of a national bipartite dialogue committee designed to deal with the EU issues? (Joint group)*

For each group, a chairperson/rapporteur was appointed and the experts were divided amongst the groups in a similar manner to session three above with the exception that the second representative of ETUC attended the joint group.

**Session eight (Working group feedback)** - *"Actions that need to be taken to promote effectiveness in the European level Social Dialogue".*

The feedback from the three groups can be summarised as follows;

### **Joint Group**

- A National Consultative Committee (NCC) is to be formed made up of 2 representatives per organisation (8 members in total) from the national social partners members of the European social partner organisations;
- Whenever the need arises, the NCC will be able to invite external experts to help with its work;
- The NCC will deal specifically with the implementation of European level agreements in Bulgaria. In outline, this work will involve;
  - ◇ The translation and interpretation of agreements to assure common understanding;
  - ◇ The preparation of action plans to implement agreements, including the identification of enterprises particularly concerned by the issue under discussion;
  - ◇ The organisation of promotional campaigns including leaflets and training;
  - ◇ The development of any required amendments to national legislation for discussion with government
  - ◇ The monitoring of implementation;
  - ◇ The NCC should also prepare Bulgarian social partner joint opinions relating to future negotiations at the EU level

After the presentation of the joint group, the plenary discussed the proposal of limiting the NCC membership to the member organisations of the European social partner organisations (ETUC, BUSINESSEUROPE, UEAPME and CEEP). It was finally agreed that this was probably the best way to approach a complex issue – but that further discussions would be needed on how to involve other key organisations not affiliated to EU level organisations as experts or in other capacities.

### **Trade Union Group**

- There is a need to organise capacity building training programmes of both a general and specific nature. Places need to be prioritised towards specific personnel;
- More work needs to be undertaken on the dissemination of information, knowledge, experience and best practice using a variety of communication tools e.g. Internet, face to face meetings, conferences and seminars;
- New funding sources that can contribute to Bulgarian social dialogue development need to be identified and exploited;
- It is important to exercise pressure on government to enforce existing laws. If this is to be effective, the trade unions will need to gain support from the employers' organisations.

### **Employers' Organisations Group**

- In order to improve employers' organisation effectiveness and to attract more members through the provision of more and better services, training initiatives will need to be adopted including in negotiation skills, EU level social dialogue knowledge and skill building and more general national social dialogue effectiveness skills;
- Information dissemination and the exchange of good practices need to be developed further within employers' organisations;

- A more effective internal consultation process, in particular at regional level, should be considered in each employers' organisation
- Coordination between employers' organisations must be improved in order to make more effective and timely contributions to the EU level social dialogue;
- Discussions need to take place within the framework of the future National Advisory Committee to implement European level agreements at the national level.

### **Session nine (Consensus building session) - Discussion and agreement on priority actions to promote effectiveness in the European level Social Dialogue**

The Bulgarian social partners agreed that the proposed actions above reflected the appropriate short to medium term actions that they would work on following the meeting and that they would review progress with the European social partners at a future seminar in 12 to 18 months time.

In conclusion, the European level social partners made a number of comments that are summarised below;

- The seminar had proved that there were good grounds in Bulgaria on which to further develop national and sectoral level social dialogue. The Bulgarian social partners had demonstrated a willingness to cooperate and work towards "win-win" solutions;
- Participation in the European social dialogue was an essential part of EU membership. All members were bound by its outcomes and therefore the effectiveness of participation was important;
- The seminar and the richness of debate had benefited both the Bulgarian and EU social partners;
- Enforcement of existing laws seems to be a problem in Bulgaria that needs to be addressed;
- Pluralism of social partners' organisations was not a uniquely Bulgarian problem, nor was it an insurmountable one, so long as organisations had a clear vision of their strategic goals at the national and European level. The dissemination of information and the coordination of inputs (between employer organisations and between trade union organisations) are essential in the European social dialogue process.

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- The proposed establishment of a National Consultative Committee was a positive step especially in the framework of the implementation of European social dialogue tools and solution to the “pluralism” issue relating to membership and meeting attendance could be resolved;
- Participation in the European social dialogue was becoming more and more onerous in terms of workload. Organisations had to organise their resources effectively and find ways to increase them. Certain solutions could be offered from the European level in terms of training and the translation fund. The national social partners themselves should seriously examine funding opportunities available under the European Social Fund for Bulgarian social partners.

The meeting ended with the general agreement that there are issues of common interest that can be worked on and developed further into concrete actions. Thanks were offered to all those involved in the preparation and conduct of the seminar as well as to the European social partners for their participation and input.

## List of Appendices

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